

Senator MCCONNELL, with respect to the alleged breach of the Supreme Court and reiterate that this is a lawless action. If it turns out to be what we believe to be true, it should be investigated, punished as fully as possible. The Chief Justice has to get to the bottom of this. And, if applicable, the Department of Justice needs to pursue any criminal charges.

Let me just say, too, that I believe, as Senator MCCONNELL pointed out, that all nine Justices on the Supreme Court should tune out the bad-faith noise and feel totally free to do their jobs following the facts and the law where they lead. We need an independent Supreme Court, and we should, at every turn, be defending the independence of our Supreme Court.

BORDER SECURITY

Mr. President, the Biden border crisis is still getting worse. In March, U.S. Customs and Border Protection encountered 221,303 individuals attempting to cross our southern border illegally—221,303. That is an average of more than 7,100 individuals per day. As of April, that number had gotten even worse. An April 26 memo from the Secretary of Homeland Security reported:

In the past 3 weeks, CBP [our Customs and Border Patrol] has encountered an average of over 7,800 migrants per day across the southwest border. This is compared to a historical average of 1,600 per day in the pre-pandemic years [2014 to 2019].

Let me just repeat that:

In the past 3 weeks, CBP has encountered an average of over 7,800 migrants per day across the southwest border. [This is] compared to a historical average of 1,600 per day in the pre-pandemic years.

The situation on our southern border is out of control. It is on track to get much, much worse. On April 1, the Biden administration announced the title 42 COVID-19 restrictions, which provided for the immediate deportation of individuals who crossed the border illegally, will end on May 23. It is ironic that even as the President has effectively declared that the COVID emergency to be over at our southern border, his administration continues to advocate to press Congress for more COVID funding.

Once title 42 restrictions are officially lifted, the flood of illegal immigration across our southern border is expected to become a tsunami. The Department of Homeland Security expects as many as 18,000 migrants per day to attempt to cross our southern border after the policy is lifted—18,000 per day. That is more than double the number we are currently experiencing, which is already straining Border Patrol to the limit.

Secretary Mayorkas testified last week that morale in the Border Patrol is low. Not surprising. What will it be like for these men and women when their workload more than doubles?

Title 42 restrictions were never intended to be a permanent border solution and lifting them would not be a problem if it were clear that the Presi-

dent is ready to deal with the resulting immigration surge, but the President hasn't even been able to—or hasn't bothered to—come up with a plan to address our existing immigration crisis. And the plan he has offered to deal with the unexpected surge when title 42 restrictions are lifted is inadequate, to put it mildly.

To give us one example, the administration plans to increase Customs and Border Protection detention capacity to 18,000. The problem with that is, as I said, we could be facing an influx of 18,000 illegal immigrants per day—per day—when title 42 has ended. Given that individuals usually stay in Customs and Border Protection custody for 2 or 3 days, it is clear that a detention capacity of 18,000 is likely to be woefully insufficient.

Even some Democrats have criticized the administration's plan with one noting that: "The administration's plan for the end of title 42 is unrealistic by May 23."

Another Democrat said:

There hasn't been enough preparation . . . we don't have the basics of how you're going to handle 18,000 individuals a day safely and in accordance with our ethics and principles. This plan, I have not seen it yet.

A number of Senate Democrats have criticized the President's decision to end title 42 right now. While I appreciate their speaking up, I wish that they had decided to join Republicans in supporting an amendment to preserve title 42 border policies when we voted on it last August, or the amendment Republicans supported in February of last year to boost funding for security at our Nation's borders. Then, perhaps, we wouldn't currently be in a situation where we expect to see half a million individuals a month attempting to illegally cross our southern border.

Out-of-control illegal immigration represents a serious security threat. Criminals, including human traffickers, drug smugglers, and gang members, regularly attempt to cross our southern border. And the worse the situation at our border gets, the easier it is for these individuals to make their way into our country. Our Border Patrol officers do heroic work, but they are stretched incredibly thin and have been for more than a year now. It is simply common sense to acknowledge that the greater the flood of illegal immigration they have to contend with, the easier it is going to be for bad actors to get across the border.

Just last week, Secretary Mayorkas testified there were more than 389,000 got-aways, which were individuals the Border Patrol saw but was unable to apprehend at our southern border during fiscal year 2021—389,000 got away. How many more are there likely to be if the influx at our southern border more than doubles?

Securing our border—by that, I mean having actual operational control of who enters our country—is a national security imperative. It is unfortunate that President Biden doesn't seem to

realize that. He began his administration by rescinding the declaration of a national emergency at our southern border, halting construction of the border wall, and revoking a Trump administration order that called for the government to faithfully execute our immigration laws. In other words, President Biden immediately gave the green light to those who would exploit our broken immigration system. He has continued to implement measures that have served to convey the message that the U.S. borders are effectively open.

While his title 42 decision has finally forced him to offer a so-called plan to deal with border security, the measures he proposes to take are unlikely to deter the expected surge of illegal immigration once title 42 is lifted. As a result, by the end of this month, our Nation may be facing a security enforcement and humanitarian crisis at our southern border that makes our current crisis look like child's play.

The administration must do more to develop its response plan before the President lifts title 42 restrictions on the 23rd of May. The truth of the matter is, it is almost unquestionably too late for the administration to be adequately prepared for the coming crisis by the end of this month. I hope the President will recognize that and delay the May 23 date until he has an adequate plan for dealing with our current border crisis, as well as any additional influx from lifting title 42 border restrictions.

If he does not move the May 23 deadline, then Congress should step in and do it for him and stop our Nation's current border crisis from becoming a true catastrophe.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

SEMICONDUCTORS

Mr. CORNYN. Mr. President, over recent decades, globalization—and by that, I mean depending on the cheapest producer of a particular good and disregarding the vulnerability of supply chains—has characterized our global commerce. By and large, that has been a good thing, particularly for consumers, if you are talking about toys for your children or an appliance, let's say. Everything from ag products to innovative technologies can find a place in global markets. And that can benefit consumers.

But this interdependence creates serious risks, as well. Over the last couple of years, we have seen how supply chain vulnerabilities can bring an entire industry—or perhaps even an entire country—to its knees.

Some of the clearest examples have surfaced during the pandemic. The U.S. leans heavily on Chinese manufacturing for masks, gloves, gowns, and ventilators, otherwise known as PPE—not the ventilators, but the masks and gloves. For a long time, that didn't seem to be a problem. Then COVID-19 showed up on our front doorstep. China held most of the supply for its own